



# ***INSIGHTS***

107<sup>th</sup> Congress

July 15, 2002

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[Weekly Summary](#)

[New Legislation](#)

[Committee Activity](#)

[Administration](#)

[House](#)

[Senate](#)

[Initiatives](#)

[FY 2003](#)

[Hearings Schedule](#)

[Appropriations Chart](#)

**INSIGHTS** is prepared expressly for the Department of Energy's Office of Federal Energy Management Programs (FEMP). The purpose of **INSIGHTS** is to provide FEMP management staff with timely information on legislative activities relevant to the program. **INSIGHTS** is prepared for FEMP by Energetics, Incorporated, (202) 479-2748.

# I. WEEKLY SUMMARY

## HOUSE

This week, the House has several actions of interest including:

- Full House consideration and vote on *H.R. 5093- FY 2003 Appropriations for Interior and Related Agencies*
- Committee on the Budget to receive testimony on the Office of Management and Budget's mid-session budget review
- Committee on Government Reform will examine the proposal to elevate the Environmental Protection Agency to cabinet-level status
- Subcommittee on Energy and Mineral Resources (Committee on Resources) to examine the growing natural gas supply and demand imbalance

## SENATE

The Senate has scheduled hearings on:

- Committee on Appropriations mark up of:
  - *H.R. 5010 – FY 2003 Appropriations for Defense*
  - *H.R. \_\_\_\_\_ - FY 2003 Appropriations for Commerce, Justice, State, and the Judiciary*
- The role Enron Energy Service, Inc. played in the manipulation of Western state electricity markets (Committee on Commerce, Science, and Transportation)
- U.S. technology transfer activities for energy programs – e.g., energy efficiency, renewable energy, fossil energy (Committee on Energy and Natural Resources)

## CONFERENCE COMMITTEES/VOTES

***Comprehensive Energy Legislation*** Staff representing House and Senate conferees will continue to meet this week to resolve differences between the two versions of *H.R. 4*. Last week, non-controversial issues were resolved dealing with low-income weatherization, funding for clean coal technology, among other provisions. This week, staff is expected to begin addressing non-controversial energy efficiency issues excluding Corporate Average Fuel Economy Standards (CAFE). Once agreement is reached on this week's agenda of provisions, the group will begin to tackle controversial issues such as the electric power industry, CAFE standards, and the renewable portfolio standard. Negotiations are expected to continue into September.

***FY 2002 Emergency Supplemental Appropriations*** House and Senate appropriators delayed further mark up of *H.R. 4775* and *S. 2551* in response to remarks made last week made by Office of Management and Budget (OMB) Director, Mitch Daniels. Director Daniels said that he would recommend a Presidential veto of the bill if funding exceeded \$30 billion and suggested a number of areas to cut. Appropriators in both chambers were working on a bill when the veto threat was made. Both Democrats and Republicans in the House and Senate expressed concern over their efforts to craft a bill to meet

OMB's requirements, which provides funding primarily for Homeland security-related activities. No schedule has been announced for resuming House and Senate mark ups.

[Back to Table of Contents](#)

## II. COMMITTEE ACTIVITY

### HOUSE

***H.R. \_\_\_\_ - FY 2003 Appropriations for Agriculture, Rural Development, and Related Agencies*** Details on the \$17.601 billion bill are still pending; however, the committee has released a few provisions of interest that include:

- Agriculture Research Service – provides unspecified continued funding for the construction of a major facility consolidation and modernization project
- Rental Fees – recommends continuation of centralized funding of General Services Administration rental costs for the Department of Agriculture in a single account rather than transferring costs to agency accounts as proposed in the budget request

***H.R. \_\_\_\_ - FY 2003 Appropriations for Energy and Water Development*** The \$26 billion bill was marked up by the Committee on Appropriations on July 10 and includes the following funding levels of interest:

#### **Department of Energy - \$20.7 billion**

- Renewable Energy - \$396 million (equal to FY 2002 and \$11 million below the President's request)

***H.R. 5120 - FY 2003 Appropriations for Treasury, Postal Service, and General Government***  
The Committee on Appropriations marked up the \$18.5 billion bill on July 9. Key provisions of interest include the following:

#### **General Services Administration**

- Construction - \$646 million (includes \$309 million for site acquisition, and design and/or construction of 11 courthouses)
- Repairs - \$978 million for repairs to Federal buildings to help reduce the \$6 billion backlog of repair projects

[Back to Table of Contents](#)

### SENATE

*No new information of interest to report.*

[Back to Table of Contents](#)

### III. STATUS OF FY 2003 APPROPRIATIONS BILLS

(In Billions)

HOUSE

SENATE

Jurisdiction/ FY 2003 Budget Request	302(b) Allocations / Approved Funding Level	Bill No.	Full Cmte.	Floor	Conf.	302(b) Allocations / Approved Funding Level	Bill No.	Full Cmte.	Floor	Conf.
Agriculture \$17.051	\$ 17.601		7/11			\$ 17.980				
Commerce \$ 40.333	\$ 40.726					\$ 43.475				
Defense \$356.598	\$354.447	<i>HR 5010</i>	6/24	6/27		\$ 355.1				
Energy and Water Development \$251.149	\$ 26.027					\$ 26.300				
Interior \$18.953	\$ 19.670	<i>HR 5093</i>	7/9			\$ 18.926	<i>S. 2708</i>	6/27		
Labor / HHS \$129.902	\$129.902					\$133.988				
Military Construction \$ 9.541	\$ 10.083	<i>HR 5011</i>	6/24	6/27		\$ 10.622	<i>S 2709</i>	6/27		
Transportation \$ 19.851	\$ 19.411					\$ 21.100				
Treasury \$ 17.960	\$ 18.501	<i>HR 5120</i>	7/9			\$ 18.501				
VA/HUD \$ 92.518	\$ 91.841					\$ 91.434				
Total 302(b) Allocations/ FY 2003 Budget Request \$748.141***	\$748.096 ***					\$768.1 ***				

\*\*\* Also includes appropriations bills not listed or relevant to this report.  
*Red/Bold/Italics Text* indicates anticipated dates for mark ups and votes.

[Back to Table of Contents](#)

## IV. NEW LEGISLATION

*(Note: Once a new bill is introduced, the Government Printing Office generally requires from several days to one week to make the bill available in print)*

### HOUSE

Number	Short title	Date	Sponsor	Status
<b>H.R. 5090</b>	<b><i>Commission on the Accountability and Review of Federal Agencies Act</i></b>	July 10	Todd Tiahrt (R/KS)	Referred to the Committee on Government Reform
<p>Establishes a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, and for other purposes.</p> <p>The commission shall evaluate all agencies and programs within those agencies, and not later than two years after the date of enactment, shall submit a plan with recommendations of the agencies and programs that should be realigned or eliminated, and proposed legislation to implement the plan.</p> <p>Commission shall recommend that the agency or program be realigned if:</p> <ol style="list-style-type: none"><li>1) Commission finds that two or more agencies or programs are performing the same essential function and the function can be consolidated or streamlined into a single agency or program.</li><li>2) Commission finds that the agency or program that has wasted Federal funds by egregious spending, mismanagement of resources and personnel, or use of funds for personal benefit or the benefit of a special interest group.</li></ol> <p>Commission shall recommend that the agency or program be eliminated if the program has completed its intended purpose; become irrelevant; or failed to meet its objectives.</p> <p>Commission may secure information from any Federal department or agency, as the Commission considers necessary.</p>				

### SENATE

Number	Short title	Date	Sponsor	Status
<b>S. 2716</b>	<b><i>No Short Title</i></b>	July 10	Dianne Feinstein (D/CA)	Referred to the Committee on Energy and Natural Resources

Number	Short title	Date	Sponsor	Status
	Modifies the authority of the Federal Energy Regulatory Commission to conduct investigations, increases the criminal penalties for violations of the <i>Federal Power Act</i> and the <i>Natural Gas Act</i> , and authorizes the Chairman of the Federal Energy Regulatory Commission to contract for consultant services.			

[Back to Table of Contents](#)

## V. ADMINISTRATION INITIATIVES

*No new initiatives of interest to report.*

[Back to Table of Contents](#)

## VI. HEARINGS SCHEDULE

### HOUSE – COMMITTEE ON APPROPRIATIONS

*No hearings, mark ups, or votes on programs of interest have been scheduled.*

### HOUSE – AUTHORIZATIONS/OVERSIGHT

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/Location
<b>July 16 -</b> Subcommittee on Energy and Mineral Resources  (Committee on Resources)  <b>(NEW)</b>	Barbara Cubin (R/WY)	<b>Hearing -</b> The Growing Natural Gas Supply and Demand Imbalance: the Role that Public Lands and Federal Submerged Lands could play in the Solution	Representatives for the Department of Interior, the Energy Information Administration, and industry officials	10:00 a.m. Room 1334 Longworth Office Building
<b>July 16 –</b>  Subcommittee on Energy Policy, Natural Resources, and Regulatory Affairs  (Committee on Government)	Doug Ose (R/CA)	<b>Hearing –</b> Elevation of the Environmental Protection Agency to cabinet-level status	Christine Whitman, EPA Administrator  James Connaughton, Council on Environmental Quality  Others	3:00 p.m. Room 2154 Rayburn Office Building

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/Location
Reform)  <i>(NEW)</i>			representing nonprofit environmental and business groups	

## SENATE – COMMITTEE ON APPROPRIATIONS

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/Location
<i>July 16 – Committee on Appropriations</i>  <i>(NEW)</i>	Robert Byrd (D/WV)	Mark Up – FY2003 Appropriations for Defense	N/A	10:00 a.m. Room 192 Dirksen Office Building
<i>July 16 – Committee on Appropriations</i>  <i>(NEW)</i>	Robert Byrd (D/WV)	Mark Up - FY 2003 Appropriations for Commerce, Justice, State, and the Judiciary	N/A	3:00 p.m. Room S-128 Capitol
<i>July 18 – Committee on Appropriations</i>  <i>(NEW)</i>	Robert Byrd (D/WV)	Mark Up - FY 2003 Appropriations for Commerce, Justice, State, and the Judiciary	N/A	2:00 p.m. Room S-128 Capitol

## SENATE – AUTHORIZATIONS/OVERSIGHT

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/Location
<i>July 18 - Committee on Commerce, Science, and Transportation</i>  <i>(NEW)</i>	Ernest Hollings (D/SC)	<b>Hearing</b> – The role Enron Energy Service, Inc. played in the manipulation of Western State electricity markets	Thomas White, Secretary of the Army	9:30 a.m. Room 253 Russell Office Building
<i>July 18 – Committee on Energy and Natural Resources</i>  <i>(NEW)</i>	Jeff Bingaman (D/NM)	<b>Hearing</b> – Effectiveness and sustainability of U.S. technology transfer programs for energy efficiency, renewable	Tentative list includes representatives from the Department of Energy, other	9:30 a.m. Room 366 Dirksen Office Building

Date/Committee	Chair	Hearing Title/Issues	Witnesses	Time/Location
		energy, nuclear, and fossil energy and to identify necessary changes to those programs to support U.S. competitiveness in the global marketplace	government officials, Pacific Northwest National Laboratory, the financial community	

## CONFERENCE COMMITTEE NEGOTIATIONS/FLOOR VOTES

Date/Activity	Bill
<i>Week of July 15 (NEW)</i>	<i>Floor Vote - H.R. ____ - FY 2003 Appropriations for Interior and Related Agencies</i>
<i>Week of July 15 (NEW)</i>	<i>Floor Vote – H.R. ____ - FY 2003 Appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies</i>

[Back to Table of Contents](#)